

C A S E

O F

John Price, Gent. one of the Coroners of the County of *Cardigan*; and *John Knolles*, Gent. and *Rice Vaughan*, Gent. and *Tho. Lewis*, Blacksmith.

TH E Lessees, by a Title derived from the Crown, now are, and for a long time have been, lawfully possessed of several Royal Mines in the County of *Cardigan*, and more particularly within the Lordship of *Generglin*.

The Title by which the said Lessees claim, hath always been allow'd for 40 Years and upwards without any opposition; and the powers and Rights given to them by the said Grant, have without dispute, been own'd, acknowledg'd, and quietly exercised within several Mannors and Lordships in the said County. The said Lessees have expended above 10000*l.* in recovering ancient Mines, now under water, and in making discovery of new. And have as yet received no proportionable benefit to themselves.

That the 10th of *March* last, the Agents of the said Lessees, having discovered a Royal Mine in the Lordship of *Generglin*, raised several Tunns of rich Silver Oar out of it, at their own great Charge, and were for some months in quiet possession thereof. The Mine was found in an open Common known by the name of *Eskirhir*, called and reputed the King's Common, lying within the said Mannor of *Generglin*, and claimed by the Lady *Dorothy Price*, as parcel of the said Mannor.

About the 30th of *June* last, the Lessees were disturbed in their possession by the Lady *Price* and her Agents; and above Eleven Tunns of Oar which had been actually raised at the charge of the Lessees, were in breach of the publick Peace carried away from the Mine in question.

The said Agents endeavour to justifie these their illegal proceedings under colour of an Order from the Lady *Price*, who pretended that the Mine in question, being in the Lordship of *Generglin*, is a poor Leaden Oar; and that she as Proprietor of the Soil is Entitled thereto: whereas by Assayes made, and by the Oaths of many skilful Miners, it appears:

1. That the Mine in question, contains Silver of a greater value than the base Metal; that the Silver extracted in the working of it, is of much more worth than the Metal consumed, and not only countervails, but exceeds the charge of refining it: and therefore in Law, it is always reputed, known and adjudged to be a Mine Royal.

2. That the Mine in question is of the same Nature, if not Richer than those Royal Mines formerly wrought in Right of the Crown; being a Silver Mine of distinct Name and Nature from a Lead Mine, and such as would yield great quantities of Silver, and produce great benefit to the Nation if wrought as a Royal Mine.

3. That if this shall not be wrought as a Royal Mine, the consequence will be, that all the Rich Oar in the Kingdom will be transported, to the impoverishment of this Nation, and to the ruine of very many poor families; who have been, and daily are employed by the Lessees in Smelting and Refining the Oar, and in extracting great quantities of Silver, *in Specie*, out of it.

4. That the Lessees being well assured of the Value of the Oar, have offered to have a fair proof of it at the Refining Mills; or to have a speedy Tryal at Law concerning the matter in question.

The said Lessees being thus in a forcible and violent manner dispossessed, had a Writ of Replevin, directed to, and Executed by the Coroner of the said County, and other the Petitioners as Assistants to him; of the Oar, raised by the said Lessees within the Lands of the Lady *Price*.

On the 29th of *October* last, the Petitioners were taken into Custody by the Serjeant at Arms attending this House, by virtue of an Order of this House, bearing date the 24th of the same Month; for having entred upon the Mines of Sir *Carbery Price*, Bar. a Member of this House, in breach of the Privileges of this House, whereas upon Examination of this matter before this Honourable House, it will appear,

1. That the said Petitioners never did enter into Mines belonging to the said Sir *Carbery Price*, and mentioned in the said Order; but only Executed a Legal Writ to them directed upon Lands 5 miles distant from the Mines in question.

2. That the said Sir *Carbery Price*, who claims nothing more than a Title to the Soil in Reversion, hath not any property in the Oar, nor hath at present any colour of Title to it.

3. That if it should be allow'd Sir *Carbery Price* had any Reversionary Interest in the Mines, or in the Oar, and that the Lady in possession doth not hold the Lands in question without Impeachment of Waste; yet it is conceived, that the Privilege will not be construed to extend to any future and contingent Estates which may happen to a Member of this Honourable House: And that Legal Officers will not be punish'd for not knowing the private Settlements of a Family, and for not being able to look farther than the present Possessor of an Estate: and to discover the remote Interest of him in Reversion.